

### **REMARKS**

In the above-identified Advisory Action, the Examiner has indicated that the previous amendment does not place the case in condition for allowance and thus, was not entered. The Examiner has stated that the Iida et al. reference recites the values claimed and claim 7 does not recite values forming a void defect zone.

With the above amendment, Applicant has canceled claim 3 and amended claims 8, 10 and 14. Claims 7 and 9 remain in the application as the only independent claims.

As stated above, the Examiner has noted that the values for generating a void defect zone are not recited in claim 7, in response to previous arguments that the values of paragraph 1 of claim 7 are values for generating a void defect zone. Applicant disagrees noting that it is inherent from the wording in claim 7 " $0.5 < (\text{OSF ring inner diameter/crystal diameter})$ ", paragraph 2 of claim 7, that claim 7 is intended for a wafer having a void defect zone, thus according to claim 7, a wafer in which a void defect zone exists is intended.

The Examiner has stated that the Iida et al. reference teaches "OSF ring inner diameter/crystal diameter" between a value of 0.5 and 0.62 in Figure 10a at a point in speed of approximately 0.62 mm per minute, therefore, meeting the limitations of claim 7. Applicant does not understand where the Examiner is finding this in the Iida reference as such disclosure does not appear to be present. Nowhere does it appear that Iida et al. discusses the OSF ring diameter, much less its relationship to the overall crystal diameter. Accordingly, Iida et al. cannot make obvious the use of such a ratio in the determination of patentability of a silicon ingot which is produced according to such a standard.

The Examiner has noted that claim 7 is directed to a product and although it recites process limitations, the patentability determination of a product by process is based on the patentability of the product and does not depend on its method of production. However, it is Applicants' contention that when produced by the process denoted, the resulting product is substantially different from that which has gone before including Iida et al. Further, the Examiner cannot ignore any limitation in a claim, which the process steps certainly are.

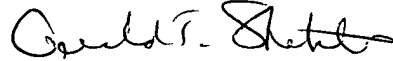
Applicant hereby requests reconsideration and re-examination thereof.

With the above amendments and the remarks, this application is considered ready for

Serial No. 09/856,209

allowance, and Applicants earnestly solicit an early notice of same. If the Examiner believes that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to call the undersigned attorney at the telephone number listed below.

Respectfully submitted,



Gerald T. Shekleton

Registration No. 27,466

Dated: June 9, 2003

**WELSH & KATZ, LTD.**

120 South Riverside Plaza

22nd Floor

Chicago, Illinois 60606-3913

Telephone: 312/655-1500